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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,487	07/16/2003	Takeshi Satomi	04329.3095	8856

7590 09/10/2004
Finnegan, Henderson, Farabow,
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EXAMINER	
BLACKMAN, ROCHELLE ANN J	
ART UNIT	PAPER NUMBER
2851	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/619,487	SATOMI, TAKESHI	
	Examiner	Art Unit	
	Rochelle Blackman	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED-STATUTORY-PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 June 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 2 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1 and 2 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 1 and 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Lu et al. (U.S. Patent No. 6,745,280).

Lu discloses an apparatus (FIG. 1) comprising: a body (B); and a unit (A and C) which is arranged in the body, wherein the unit comprises a card receiver (area or part of body B where A and C are inserted) which receives a card (C); and a protective member (A) which protects part of the card that projects from the card receiver when the card receiver receives the card, wherein the card receiver is accommodated in the body (see area or part of body B where A and C are inserted), and the protective member is exposed from the body (see A); wherein the card receiver has an insertion

slot (see area where protective member A is inserted) to receive the card and a receiver guide rail (surface of card receiver touching the outside of protective member A when protective member A is inserted in the insertion slot), the protective member has an exit slot (see area where card C is inserted in protective member A), and a member guide rail (see internal side portions of protective member A which touches card C when card C is inserted in protective member A) which guides the card to card receiver, the insertion slot and the exit slot oppose each other (see positions of the of the previously described insertion slot and exit slot), and the card is guided to the card receiver by the member guide rail of the protective member and the receiver guide rail via the exit slot of the protective member and the insertion slot of the card receiver (see where card C is inserted into the exit slot of the protective member A and guided by the member guide rail inside the exit slot and see part of body B where protective member A is inserted, which is considered to be the card receiver containing the receiver guide rail and see the entrance area outside of body B where protective member A is inserted into the body B, which is considered to be the insertion slot).

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Yasufuku et al. (U.S. Patent No. 6,264,506).

Yasufuku discloses an apparatus (FIG. 1) comprising: a body (300); and a unit (1, 100, 301) which is arranged in the body, wherein the unit comprises a card receiver (301) which receives a card (100); and a protective member (1) which protects part of the card that projects from the card receiver when the card receiver receives the card,

wherein the card receiver is accommodated in the body (see 301), and the protective member is exposed from the body (see 1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (571) 272-2113. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RB


JUDY NGUYEN
PRIMARY EXAMINER